

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and the documents and/or fees referred to as "contents" herein are being deposited with the United States Postal Service on September 26, 2003 in an envelope as "Express Mail Post Office to Post Office" service under 37 CFR §1.10, Mailing Label Number EV322826688US, addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Ryan Eachus

Attorney Docket No.: KLA1P068/P996

First Named Inventor: Hwang

31109 U.S. PTO  
10/673058



09/26/03

**UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))**  
(Regular application claiming priority of a provisional)

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:  
**Shiow-Hwei Hwang and Nat Ceglio**

For: **METHOD AND APPARATUS USING MICROSCOPIC AND INTERFEROMETRIC BASED DETECTION**

Assigned to: KLA-Tencor Technologies, Corporation

Priority of U.S. provisional application No. 60/414,750 filed on September 27, 2002 is claimed under 35 U.S.C. § 119(e).

☐ Amend the specification by inserting after the title the sentence: "This application claims priority of U.S. provisional application No. \_\_\_\_\_ filed on \_\_\_\_\_ which is hereby incorporated by reference."

**Application Elements:**

- ☒ **59** Pages of Specification, Claims and Abstract
- ☒ **14** Sheets of formal Drawings
- ☐ Combined Declaration and Power of Attorney
- ☐ Separate Declaration

**Accompanying Application Parts:**

- ☒ Do not publish this application. Nonpublication Request is attached.
- ☐ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- ☐ Separate Power of Attorney by Assignee
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☐ Information Disclosure Statement with Form PTO-1449
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard
- ☐ Copies of IDS Citations

Claim For Foreign Priority

- ☐ Priority of \_\_\_\_\_ Application No. \_\_\_\_\_ filed on \_\_\_\_\_  
is claimed under 35 U.S.C. § 119.
- ☐ The certified copy is enclosed.
- ☐ The certified copy has been filed in prior application U.S. Application No. \_\_\_\_\_
- ☐ The certified copy will follow.

Fee Calculation (37 CFR § 1.16)

☒ **PLEASE DEFER THE FILING FEES AT THIS TIME.**

☐ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. \_\_\_\_\_).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

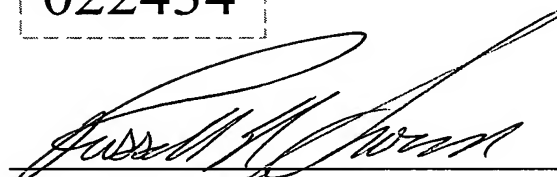
☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. KLA1P068).

☒ Please send correspondence to the following address:

**Customer Number 022434**

022434

Date: September 26, 2003



**Russell N. Swerdon**  
Registration No. 36,943

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Hwang et al.

Attorney Docket No.: KLA1P068/P996

Application No.: Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

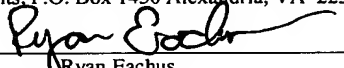
Group: Not yet assigned

Title: METHOD AND APPARATUS USING  
MICROSCOPIC AND INTERFEROMETRIC  
BASED DETECTION

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Ryan Eachus

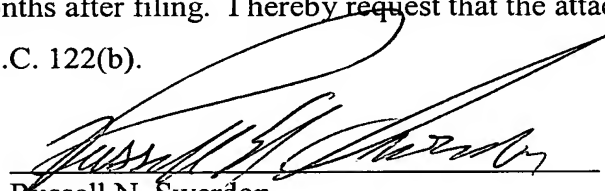
**NONPUBLICATION REQUEST AND CERTIFICATION  
(35 U.S.C. 122(b)(2)(B)(i))**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing. I hereby request that the attached application **NOT** be published under 35 U.S.C. 122(b).

Date: 9.26.03

  
Russell N. Swerdon  
Registration No. 36,943

**NOTE:**

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications, eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign of international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).